

Notice of Allowability

Application No.

10/707,765

Examiner

Rashmi K. Sharma

Applicant(s)

SIMPSON ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/9/2004.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☒ The drawings filed on 09 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 5/4/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Reasons For Allowance

Claims 1-27 have been allowed.

The following is an examiner's statement of reasons for allowance:

Independent claims 1 and 16 recites the structural limitation of a conveying system for transporting objects along a path of travel during operation of the conveying system, the conveying system comprising a plurality of flight lugs releasably mounted at spaced intervals along the belt in the direction of the path of travel, each lug comprising a base having an upper surface, a lower surface and edge surfaces extending between and interconnecting the upper surface and the lower surface of the base, a first side wall and a second side wall integral with opposite edge surfaces of the base such that the base extends between and interconnects the side walls intermediate upper and lower ends of the side walls, and a flange extending inwardly from adjacent each of the lower ends of the side walls, each flange defining a slot between the flange and the lower surface of the base for receiving an edge of the conveyor belt, wherein the first side wall is pivotally mounted to the base for movement relative to the base between a first position where the flange on the lower end of the first side wall is spaced a first distance from the flange on the lower end of the second side wall for allowing the belt to fit between the flanges, and a second position where the flanges on the side walls are spaced a second distance which is less than the width of the belt for capturing the belt in the slots between the side walls, the flanges extending between the teeth on the inner surface of the belt, wherein the lugs form a spaced series of flights along the outer

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object conveying surface of the belt, in combination with the rest of the recited structure, clearly defines over the prior art.

The closes prior art of record Pierce, Jr. et al. (U.S. Patent number 3,382,965) discloses a conveying system comprising a frame, a drivable endless conveying belt supported on the frame for movement in a direction of the path of travel, the belt having an inner surface and an outer surface, the outer surface of the belt forming an object conveying surface and a plurality of flight lugs releasably mounted at spaced intervals along the belt in the direction of the path of travel. However Pierce, Jr. fails to show the specific flight lug structure as claimed in independent claim 16.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashmi K. Sharma whose telephone number is 571-272-6918. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rks

Kathy Matecki
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